

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SOLOMON CHAU, Derivatively on Behalf of TESLA, INC.,	§	
	§	Case No.: 1:22-cv-00592-LY
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
ELON MUSK, et al.,	§	
	§	
Defendants,	§	
	§	
-and-	§	
	§	
TESLA, INC., a Delaware Corporation,	§	
	§	
<i>Nominal Defendant.</i>	§	

ALVIN JANKLOW, Derivatively on Behalf of TESLA, INC.,	§	
	§	Case No.: 1:22-cv-00611-LY
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
ELON MUSK, et al.	§	
	§	
Defendants,	§	
	§	
-and-	§	
	§	
TESLA, INC., a Delaware Corporation,	§	
	§	
Nominal Defendant.	§	

**AGREED MOTION TO SET SCHEDULE ON FILING OF CONSOLIDATED
COMPLAINT AND BRIEFING ON RESPONSE THERETO**

COMES NOW plaintiffs Solomon Chau and Alvin Janklow ("Plaintiffs") and Defendants Elon Musk, Robyn Denholm, Kimbal Musk, Ira Ehrenpreis, James Murdoch, Lawrence J. Ellison, Kathleen Wilson-Thompson, Hiromichi Mizuno, Antonio J. Gracias, Stephen T. Jurvetson, Brad W. Buss, and Linda Johnson Rice ("Defendants," and with Plaintiffs, the "Parties") move for an extension of time for Defendants to file their answers or other responsive pleadings to Plaintiffs' Complaints. In support of this motion, Defendants state and propose as follows:

1. Defendants hereby acknowledge service of the summonses and complaints in *Chau v. Musk, et al.*, Case No. 1:22-cv-00592-LY, or *Janklow v. Musk, et al.*, Case No. 1:22-cv-00611-LY (the "Related Actions"), expressly reserving all defenses and objections that they may have in the Related Actions, including without limitation any and all jurisdictional, venue, or forum-related defenses or objections and any and all other defenses or objections.

2. Defendants need not answer, move to dismiss, or otherwise respond to the complaints that have been filed in the Related Actions, at this time.

3. Within forty-five (45) days of entry of the order ruling on the Motion to Consolidate and Appoint Co-Lead Counsel, Plaintiffs shall file a Consolidated Complaint.

4. Within sixty (60) days of filing and service of the Consolidated Complaint, Defendants shall file and serve a responsive pleading or answer to the Consolidated Complaint.

5. If Defendants respond with a motion to dismiss, within sixty (60) days of filing and service, Plaintiffs shall file and serve their opposition to the motion.

6. Defendants shall file and serve any reply in support of their motion within thirty (30) days of the filing and service of Plaintiffs' opposition.

WHEREFORE, the Parties pray for an order for a scheduling order setting the time for the filing of a Consolidated Complaint and briefing on any responsive pleading(s) thereto.

Dated: July 12, 2022

Respectfully submitted,

KENDALL LAW GROUP, PLLC

/s/ Joe Kendall

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*Attorneys for Plaintiffs Solomon Chau and
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Dated: July 12, 2022

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CERTIFICATE OF CONFERENCE

I certify that on July 5 and July 8, 2022, I conferred with counsel for Defendants, Drew Liming and Doru Gavril of Freshfields Bruckhaus Deringer US LLP, regarding the substance of this motion and they stated that they agree with the relief requested herein.

/s/ Shane P. Sanders
SHANE P. SANDERS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Court's electronic case filing (ECF) system on July 12, 2022, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

/s/ Joe Kendall
JOE KENDALL

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